



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

MEH:ddj

Docket No: 6499-99

15 February 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your deceased spouse's naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 February 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your spouse's naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum of 14 January 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

**NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

14 Jan 00

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS (BCNR)

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: COMMENTS AND RECOMMENDATION ICO BMC GEORGE A. HUNTER,
[REDACTED]

Ref: (a) BCNR memo of 18 Nov 99

Encl: (1) Excerpts from Shift Colors

1. Per reference (a), recommend the BCNR not correct Chief
[REDACTED] record to reflect that he voluntarily enrolled in the
Survivor Benefit Plan (SBP) under the spouse coverage category,
at full gross pay during the 1 April 1992 - 31 March 1993 open
season.

2. The recommendation is based on the following:

a. [REDACTED] transferred to the Retired List on
1 November 1985. He declined participation in the SBP prior to
transferring to the Retired List.

b. [REDACTED] enrolled in SBP during the 1 April 1992 -
31 March 1993 open season. He died 14 ^{FEB} April 1994. He did not
meet the required two-year survival period to allow his spouse
to receive an annuity.

3. Per enclosure (1), Shift Colors, a retiree quarterly
newsletter mailed to all Navy retirees, provides SBP information
in almost each issue.

M. P. WARDLAW
Head, Navy Retired Activities
Branch (PERS-622)